

AMENDMENTS TO THE CLAIMS

Following is the list of claims and their status:

1-27 and 49 (Cancelled)

28. (Currently Amended) A ~~An isolated~~ nucleic acid ~~in isolated form,~~ comprising a sequence encoding a ~~wherein the nucleic acid encodes a protein which is homologous to the protein encoded by the~~ *PLAG1* (pleomorphic adenoma gene 1) ~~protein gene,~~ wherein the amino acid cDNA sequence corresponding to said of the *PLAG1* gene protein is the sequence translated from the nucleic acid sequence as represented in SEQ ID NO: 116 starting with the ATG at position 481 to 483 of said nucleic acid sequence, or a fragment thereof which can be used to diagnose cells having a non-physiological proliferative capacity depicted in figure 4A (SEQ ID NO: 116), and wherein a protein encoded by the nucleic acid comprises a polypeptide sequence which is at least 75% identical to the polypeptide sequence encoded by *PLAG1* in the region from zinc fingers 4 to 7 as represented in SEQ ID NOs: 120 to 123, or a complementary or antisense version of the nucleic acid.

29. (Currently Amended) The nucleic acid as claimed in claim 47-~~28~~, comprising the nucleotide sequence of the *PLAG1* gene as depicted in figure 4A (SEQ ID NO: 116), or a complementary or antisense version of the nucleic acid.

33. (Currently Amended) A macromolecule comprising a nucleic acid in isolated form, comprising a sequence encoding a ~~a fusion of at least two of an oligonucleotide, a polynucleotide and a gene,~~ wherein ~~at least a first one of said oligonucleotide, polynucleotide or gene comprises a nucleotide sequence of at least one exon consisting of the~~ *PLAG1* (pleomorphic adenoma gene 1) ~~gene, and protein,~~ wherein the amino acid sequence of the *PLAG1* [gene] protein is the sequence translated from the nucleic acid sequence as represented in SEQ ID NO: 116 starting with the ATG at position 481 to 483 of said nucleic acid sequence, or a fragment thereof which can be used to diagnose cells having a non-physiological proliferative capacity. ~~at least a second one of said oligonucleotide, polynucleotide or gene comprises at least one exon of the *CTNNB1* (β eatenin) gene, or complementary or antisense versions of the nucleotide sequence.~~

47. (Currently Amended) A nucleic acid in isolated form according to claim 28, ~~wherein the nucleic acid is one of an oligonucleotide, a polynucleotide and a gene comprising a sequence of at least one exon of the PLAG1 (pleomorphic adenoma gene 1) gene, or the complementary sequence or antisense version of the nucleic acid;~~ wherein the amino acid sequence of said PLAG1 fragment gene encodes a protein comprising comprises at least one of the zinc fingers 1 to 7 represented by the sequences as represented in SEQ ID NOs: 117 to 123.

48. (Currently Amended) A macromolecule comprising a nucleic acid in isolated form, comprising a sequence encoding fusion of at least two of an oligonucleotide, a polynucleotide and a gene having a nucleotide sequence of at least one exon of the promoter region of a CTNNB1 gene, ~~or the complementary sequence or antisense versions of the nucleotide sequence which can be used to diagnose cells having a non-physiological proliferative capacity.~~

50. (New) A macromolecule according to claim 48, wherein said nucleic acid is selected from the group consisting of a transcript corresponding to the nucleic acid, a cDNA corresponding to the nucleic acid, and a sense or antisense DNA corresponding to the nucleic acid.

51. (New) A macromolecule comprising a nucleic acid in isolated form comprising at least one exon of the CTNNB1 gene, which can be used to diagnose cells having a non-physiological proliferative capacity.

52. (New) A macromolecule according to claim 51, wherein said nucleic acid is selected from the group consisting of a transcript corresponding to the nucleic acid, a cDNA corresponding to the nucleic acid, and a sense or antisense DNA corresponding to the nucleic acid.